

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

ARIEANNA MITCHELL,

Plaintiff,

v.

H-E-B, LP,

Defendant.

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CIVIL NO. A-23-CV-01273-ADA

**ORDER ADOPTING MAGISTRATE  
JUDGE’S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Susan Hightower. ECF No. 24. The report recommends Defendant’s Motion for Summary Judgment (ECF No. 18) be **GRANTED** and Plaintiff’s claim be **DISMISSED WITH PREJUDICE**. The Report and Recommendation was filed on January 30, 2025.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). As of today, neither party has filed objections.

When no objections are timely filed, a district court reviews the magistrate judge’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 Advisory Committee’s Note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). The Court has reviewed the report and recommendation and finds no clear error.

**IT IS THEREFORE ORDERED** that the Report and Recommendation of United States Magistrate Judge Hightower (ECF No. 24) is **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendant's Motion for Summary Judgment (ECF No. 18) is **GRANTED** in accordance with the Report and Recommendation.

**IT IS FURTHER ORDERED** that Plaintiff's claim is **DISMISSED WITH PREJUDICE**.

**SIGNED** this 20th day of February, 2025.



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ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE